

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

IN RE:) Case No. 19-24274-GLT
Kristal C. Owens f/k/a)
Kristal C. Owens-Gayle,) Chapter 11
Debtor,)
) Related to Doc. Nos. 234
U.S. Bank National Association,)
As Trustee for Lehman XS Trust)
Mortgage Pass-Through Certificates,)
Series 2007-15N,)
Movant,)
v.)
Kristal C. Owens f/k/a)
Kristal C. Owens-Gayle,)
Respondent.)

**STIPULATION OF KRISTAL C. OWENS AND U.S. BANK NATIONAL
ASSOCIATION, AS TRUSTEE FOR LEHMAN XS TRUST MORTGAGE PASS-
THROUGH CERTIFICATES, SERIES 2007-15N REGARDING TREATMENT
PROVIDED IN CHAPTER 11 PLAN**

The Debtor, Kristal C. Owens (hereinafter "Debtor") and U.S. Bank National Association, as Trustee for Lehman XS Trust Mortgage Pass-Through Certificates, Series 2007-15N ("U.S. Bank", together with the Debtor, the "Parties"), by and through their attorneys of record, now enter into the below stipulation to resolve and agree to plan treatment of the real property commonly known as 5137 Astor Place, S.E., Washington, D.C. 20019 (the "Astor Place Property").

RECITALS

A. On or about October 31, 2019, Debtor filed a voluntary petition for relief under chapter 11 of title 11 of the United States Code in the United States Bankruptcy Court for the Western District of Pennsylvania (the "Court").

B. On February 13, 2020, a Proof of Claim was filed on behalf of U.S. Bank asserting a total claim in the amount of \$544,952.38.

C. On May 14, 2020, Debtor filed a Chapter 11 Plan Dated May 14, 2020 (the "Plan"). See ECF No. 152.

D. On July 2, 2020, U.S. Bank filed an Objection to Confirmation of the Plan (the "Objection"). See ECF No. 191.

E. The Parties have conferred and agreed upon the following Stipulation and upon the treatment of U.S. Bank's claim secured by the Astor Place Property for purposes of confirmation of Debtor's Plan, and those terms are reflected below.

THE PARTIES HERETO STIPULATE AND AGREE AS FOLLOWS:

1. U.S. Bank has relief from the automatic stay regarding the Astor Place Property, Relief from the automatic stay shall be immediate, U.S. Bank does not have to wait until confirmation of the Plan.

2. The Plan is modified to strike any and all provisions that require U.S. Bank to foreclose upon the Astor Place Property within a certain time-period.

3. The Plan is modified to strike any and all provisions implementing a penalty against U.S. Bank for failing to foreclose upon or otherwise failing to take affirmative action to enforce its rights to foreclose within a certain time-period.

4. The Debtor will attempt to sell the Astor Place Property.

5. In the event the Debtor is able to sell the Astor Place Property, U.S. Bank agrees to release its lien on the property only upon its consent to the sale.

6. Nothing in this Stipulation shall be interpreted to impair U.S. Bank's right to foreclose upon the Astor Place Property.

7. In the event that U.S. Bank decides that it will foreclose upon the Astor Place Property, it shall notify the Debtor and Counsel for the Debtor via first-class mail of its decision to foreclose.

8. In the event that U.S. Bank decides that it will foreclose upon the Astor Place Property, the Debtor will not oppose such foreclosure.

9. U.S. Bank hereby accepts the Plan as modified by the Stipulation.

10. U.S. Bank affirmatively agrees to vote in favor of the plan.

IT IS SO STIPULATED as of September 1, 2020:

BY: /s/ Donald R. Calaiaro
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Counsel for Kristal C. Owens

AND

By: /s/ Keri P. Ebeck
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*Counsel for U.S. Bank National Association,
As Trustee for Lehman XS Trust Mortgage
Pass-Through Certificates, Series 2007-15N*

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Kristal C. Owens-Gayle,)
Respondent.)

ORDER APPROVING STIPULATION

AND NOW, this 2nd day of September, 2020, upon consideration of the Stipulation between the Debtor, Kristal C. Owens, and U.S. Bank National Association, as Trustee for Lehman XS Trust Mortgage Pass-Through Certificates, Series 2007-15N, it is hereby **ORDERED, ADJUDGED, and DECREED** that the Stipulation is APPROVED and made an Order of Court.

By the Court

Dated: 9/2/20



The Honorable Gregory L. Taddonio
United States Bankruptcy Judge

Imaged Certificate of Notice Page 5 of 5

United States Bankruptcy Court
Western District of PennsylvaniaIn re:
Kristal C. Owens
DebtorCase No. 19-24274-GLT
Chapter 11**CERTIFICATE OF NOTICE**

District/off: 0315-2

User: culy
Form ID: pdf900Page 1 of 1
Total Noticed: 1

Date Rcvd: Sep 02, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Sep 04, 2020.

db +Kristal C. Owens, 10482 Baltimore Ave., Ste. 277, Beltsville, MD 20705-2321

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Sep 04, 2020

Signature: /s/Joseph Speetjens**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on September 2, 2020 at the address(es) listed below:

Ann E. Swartz on behalf of Creditor U.S. Bank National Association, as Trustee for MASTR Adjustable Rate Mortgages Trust 2006-OA1, Mortgage Pass-Through Certificates, Series 2006-OA1
ecfmail@mwc-law.com, ecfmail@ecf.courtdrive.com

Brett A. Solomon on behalf of Interested Party OPA-Hi Development LLC
brett.solomon@solomon-legal.com

David Z. Valencik on behalf of Debtor Kristal C. Owens dvalencik@c-vlaw.com,
cvlaw.ecf.dvalencik@gmail.com; aheath@c-vlaw.com; kmosur@c-vlaw.com; bhassain@c-vlaw.com; ssimmons@c-vlaw.com; mpeduto@c-vlaw.com; rfeil@c-vlaw.com; eratti@c-vlaw.com

Donald R. Calaiaro on behalf of Debtor Kristal C. Owens dcalaiaro@c-vlaw.com,
cvlaw.ecf.dcalaiaro@gmail.com; aheath@c-vlaw.com; kmosur@c-vlaw.com; bhassain@c-vlaw.com; ssimmons@c-vlaw.com; mpeduto@c-vlaw.com; rfeil@c-vlaw.com; eratti@c-vlaw.com

James Warmbrodt on behalf of Creditor Toyota Lease Trust bkgroupp@kmlawgroup.com

Jeffrey R. Hunt on behalf of Creditor County of Allegheny jhunt@grblaw.com,
cnoroski@grblaw.com

Jennifer L. Cerce on behalf of Creditor Wilkinsburg School District and Borough of Wilkinsburg jlc@mbm-law.net

Jill Locnikar on behalf of Creditor United States of America Department of the Treasury, Internal Revenue Service jill.locnikar@usdoj.gov,
patricia.fitzgerald@usdoj.gov; caseview.ecf@usdoj.gov; kassi.horton@usdoj.gov

Jill Manuel-Coughlin on behalf of Creditor BAYVIEW LOAN SERVICING, LLC
bankruptcy@powerskirn.com

Keri P. Ebeck on behalf of Creditor Duquesne Light Company kebeck@bernsteinlaw.com,
jbluemle@bernsteinlaw.com

Keri P. Ebeck on behalf of Creditor U.S. Bank National Association, as Trustee for Lehman XS Trust Mortgage Pass-Through Certificates, Series 2007-15N kebeck@bernsteinlaw.com,
jbluemle@bernsteinlaw.com

Larry E. Wahlquist on behalf of U.S. Trustee Office of the United States Trustee
larry.e.wahlquist@usdoj.gov

Office of the United States Trustee ustpregion03.pi.ecf@usdoj.gov

Sheetal Ramesh Shah-Jani on behalf of Creditor Lehman Xs Trust Mortgage Pass-Through Certificates, Series 2007-15N sshahjani@rascrane.com

Thomas Song on behalf of Creditor U.S. Bank National Association, et.al. pawb@fedphe.com

TOTAL: 15